

Frequently Asked Questions on Georgia's New Child Support Guidelines

Updated: April 2008

1. I have heard that there are revised Child Support Guidelines in Georgia. When did they take effect?

The revised Child Support Guidelines went into effect on January 1, 2007. It is being applied to all child support orders made after that date, even if the case was started in court before that date.

2. If I had a child support final order, dated prior to January 1, 2007, will that order be affected by the change in the Child Support Guidelines?

No. No current order automatically changed on January 1, 2007. The only way that a current order will be affected is if a petition to modify is filed in a private case or there is a recommendation from the Office of Child Support Services for a modification, pursuant to [O.C.G.A. § 19-11-12](#).

3. Besides using the new Child Support Guidelines' Worksheet and Schedules, is there anything else I need to bring to the courtroom for the Judge to decide my case in 2007?

Yes. If your case has not settled by agreement of the parties or through a consent order, and the matter of child support is still in dispute, you will need to bring to court proof of your income and certain expenses, including child care, health insurance for the child, special expenses (i.e., extracurricular activities) for the child, and child support orders for other children and the history of payments made on those orders. As proof of income, the

Child Support Guidelines provides some suggestions as to what is considered “reliable evidence”: tax returns for prior years; check stubs; or other information for determining current ability to pay child support or ability to pay child support in prior years.

Don’t forget to bring a copy of the actual Child Support Worksheet and Schedules. If you are calculating child support on the web-based electronic worksheets, please do not forget to print out a copy of the Worksheet and Schedules before you submit them, via the internet, to the Judge. The same goes for the Excel or Paper and Pen versions. ***Always*** bring a courtesy copy to your court hearing.

Even though you may have filed the Worksheet and Schedules with the Clerk of Court, that may have only been a working copy and not the final version complete with both parties financial information. You want to ensure that you bring a copy of the final version of your Worksheet and Schedules to court.

4. Where do I get the Worksheet and Schedules?

You can get the manual versions, or as we like to call them “the Paper and Pen” version of the Worksheet and Schedules from the following websites, or you can calculate your child support amount on the electronic calculators (worksheets) also provided on the same websites. Don’t forget to print out the worksheet before submitting it to the court. The websites are:

Office of Child Support Services at:

<http://ocse.dhr.georgia.gov/portal/site/DHR-OCSE>, which is the host site and where you will find access to all of the

electronic calculator versions, including downloading the Excel version to your computer.

Or the Georgia Child Support Commission at:

<http://www.georgiacourts.org/csc>, which is the website you are currently viewing. This website provides links to the forms and calculators found on the Office of Child Support Services' website.

5. I'm not very good at math. Will it be hard for me to fill out the Worksheet and Schedules?

No. The electronic versions of the Worksheet and Schedules will do much of the math and calculations for you. The "guided version" will walk through the whole process by asking you a series of questions. Then, it will fill out the forms for you. As you are answering the questions and providing all of the information you have available, you should select "save for later" every few screens to save your work.

6. What happens when I sit to fill out the electronic worksheet and do not have all of my information or finish it at all at once?

While a [Uniform Superior Court Rule](#) requires you to initially file your Worksheet and Schedules with the court clerk's office, you may not have yet discovered all of the information about both parties and have not yet received a civil action case number from the clerk's office. For the purpose of filing with the clerk's office, fill in all of the information you have and turn in a hard copy of the Worksheet and Schedules. You can later update all versions with newly discovered information about the other

party. That is the version that you will either submit to the Judge or bring a hard copy of it to court.

When first filling in all of the information on the web based version, and knowing that you will need to add additional information later, be sure to click on the "save for later" button found at the bottom of most of the screens. You will receive a Confirmation Number that will display near the top of the page. That is your own unique number. Write it down or print a copy of the screen page and store the confirmation number for safekeeping. You can print a copy of the screen page by clicking the right mouse button and selecting "print" from the options. Every time you go back on the website, enter that number and your worksheet will appear. The website will store your unfinished worksheet for up to one year from the last date saved. You can come back and fill in the civil action case number or other new information after you obtain it. However, once you submit the worksheet electronically to the Judge, you can no longer retrieve, add information, print or make changes.

Once, you have provided responses to all of the questions on the "guided version" and have the civil action case number, you can "submit" the Worksheet and Schedules to the Judge electronically by completing the guided process to the very end.

Prior to submitting your legal pleadings to the clerk, and most definitely before you electronically submit the Worksheet and Schedules to the Judge, print out a hard copy of the Worksheet and Schedules for your records. This is because, once you submit the Worksheet and Schedules to the Judge over the internet, you cannot print a copy and you cannot make any changes to the forms.

Be sure to click on the "Printer Friendly" button at the bottom of the Review Page and print out the entire Worksheet and Schedules.

7. If parents already have a court order for child support, will they be able to go back to court and get a new child support order under the new law?

No, not unless there has been a change in the parent's financial circumstances or in the child's needs. The change in the law, by itself, is not enough to allow the court to modify the existing child support order.

8. Under our divorce decree, my kids spend the summers with me. Will I be able to get my child support reduced under the new law?

No, not unless there has been a change in circumstances, so that the court can modify the existing child support order. The fact that the law has changed is not considered to be a change in circumstances.

Also, the new law does not give parents an automatic reduction in child support for extended visitation. However, the court will have discretion under the new law to lower the amount of support the noncustodial parent is obligated to pay if extended visitation makes the presumptive amount excessive or inadequate.

9. Where can I go to see the new support table and read the revised Child Support Guidelines?

The Basic Child Support Obligation Table is a part of the revised Child Support Guidelines, which went into effect on January 1, 2007. If you are using the electronic

worksheets, the program will automatically put in the amount from the table on your worksheet after you provide both parents' incomes and number of children included in the action.

You can access the Child Support Obligation Table and the Child Support Guidelines through the following website: <http://www.georgiacourts.org/csc> (the Child Support Commission website). You can also read it at local libraries, at local courthouses and law schools. If there are any future updates or revisions to the current Guidelines, you can also access information regarding those changes at <http://www.georgiacourts.org/csc>.

10. What if I don't know the other parent's income, will I still get a calculation?

Fill out all of the information you have available and save the worksheet if you are using either the web based or Excel version of the Electronic Worksheets. If you are using the web based version, you must enter your name and the county of your case to be able to save the worksheet to receive a Confirmation Number (see question #6).

If you do not have any financial information regarding the other party, the calculations will not be accurate and ready for the Judge to review. Hopefully, after an exchange of documents between the parties or imputing the other parent's income or income potential, you should have enough information to then fill in the other parent's financial information to obtain an accurate calculation.

Be sure to print the Worksheet and Schedules to submit the information you have to the court. However, if you submit the worksheet electronically to the court, you can

no longer retrieve, add information, print, or make changes.

11. Why is it important for me to enter the civil action case number exactly as it was issued by the Clerk?

The Clerk of Court will issue a unique civil action case number in the county where you file your legal pleadings. That unique number is later used by the Judge to gain access to all worksheets submitted electronically using the web-based calculator on the internet. The Judge will use the Clerk of Court's calendar or docket to find your civil action case number, and using that number will access your submitted web-based worksheet. If you incorrectly record the number in the civil action case number field on the web-based calculator, the Judge won't be able to find your worksheet and will likely ask you to prepare another worksheet for the court.

Example: If the Clerk issues the civil action number as CV-08-123, you must type that number exactly, including the dashes, in the civil action case number field for the web-based worksheet. If you type the civil action case number without the dashes as CV08123, the Judge won't be able to find and access your worksheet. Note: This is an example only and does not mean that all clerks will or will not use dashes in their civil action case numbers.

12. What is split parenting and how does it differ from shared parenting?

In a split custody arrangement, one parent has primary physical custody of at least one child of the current case, and the other parent has primary physical custody of one

or more children. Split custody is anticipated by the statute, and there is a definition and a specific subsection devoted to it. For the definition, please review subsection (a) (21) under [§19-6-15](#). To submit worksheets in a case involving split parenting, see subsection (l) which states that “[i]n cases of split parenting, a worksheet shall be prepared separately for the child for whom the father is the custodial parent and for the child for whom the mother is the custodial parent, and that worksheet shall be filed with the clerk of court.”

There is not a definition or a subsection devoted to “shared parenting” in the statute. A shared parenting custodial arrangement is usually referred to in a situation when the parents share physical custody of their children, i.e., each parent would have custody of the child 50% of the time. The only reference to a shared parenting arrangement in the statute is under the definitions of “custodial parent” and “noncustodial parent.” You will find those definitions in the Child Support Guidelines ([§19-6-15](#)) under subsection (a), paragraphs (9) and (14) respectively. Under each of those definitions, it states that “[w]here a custodial parent has not been designated or where a child resides with both parents an equal amount of time, the court shall designate the custodial parent as the parent with the lesser support obligation and the other parent as the noncustodial parent.” However, in the situation that each parent has equal income and expenses, and the court cannot determine which parent would have the greater support obligation, the court will make the determination which parent to appoint as the noncustodial parent for the purpose of paying child support.

Shared parenting is also mentioned under the deviation subsection found in the Child Support Guidelines. The specific provision, found in subsection (i) (2) (K) of the Child Support Guidelines, says that the court may order a deviation of the presumptive amount of child support when the child resides an equal amount of time with each parent. The noncustodial parent's child support obligation would be reduced in that instance by a deviation known as a parenting time deviation. If the court orders any deviation from the presumptive amount of child support, findings justifying this deviation must be included with the court order.